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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,656	04/26/2000	Miyuki Enokida	862.C1901	9979
5514	7590	07/12/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			TO, BAOQUOC N	
			ART UNIT	PAPER NUMBER

2162

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/558,656

Applicant(s)

ENOKIDA ET AL.

Examiner

Baoquoc N. To

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21,23-27,51-57 and 64 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 21,23-27,51-57 and 64 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 21,23-27,51-57 and 64 are pending in this application.

Response to Arguments

2. Applicant's arguments filed 04/18/2005 have been fully considered but they are not persuasive.

Applicant argues that "Shiomi is not seen to read multiple kinds of meta-data from the data files belonging to a directory, with each of the data files having both data and meta-data, extracting a common metadata whose content is included in all of the data files, and generating, and attaching to the directory, directory meta-data for the directory using common meta-data items."

The examiner respectfully disagrees with the above argument. Shiomi discloses the method storing attributes of the data in the hierarchical relation which corresponding to the directory structure. The attributes having common value extracted and grouped into a group or plurality of groups having the same common extracted values (col. 7, lines 29-49). Prior to extracting and grouping, the step or reading must be performed, therefore, one ordinary skill in the art would recognized the reading step perform previously extracting and group. Since the meta-data is broad terms, which include any type of attributes, which related to identify the files; therefore, meta-data are the attributes, which disclosed by Shiomi.

The applicant also argues that "Yamada is seen to describe using directories to group data, and attaching a directory name to each directory, nothing in Yamada and particularly the cited portion of Yamada, is seen to disclose attaching to a directory,

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from which meta-data of data files belonging to the directory is read, directory meta-data, which is generated for the directory using common meta-data item whose is included in all of data files belonging to the directory, the common meta-data item being extracted from the multiple kinks of meta-data read from the directory's data files.”

The examiner respectfully disagrees with the above argument. As discloses by Yamada, the file sharing the same names are grouped into the directory with the name attaching the directory or folder wherein the name is the common meta-data attribute (col. 22, lines 62-67 to col. 3, lines 1-27).

Please see rejection on 01/08/2005 for all the rejected claims.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hasegawa et al. (US. Patent No. 6,513,038 B1) Patent date: 01/28/2003.

Kanai et al. (US. Patent No. 6,714,946 B1) Patent date: 03/30/2004.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

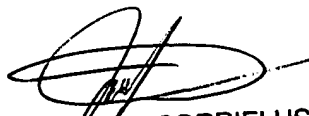
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Baoquoc N. To
July 7, 2005


JEAN M. CORRIELUS
PRIMARY EXAMINER